

UNITED STATES DISTRICT COURT
SOUTHERN DISTRICT OF NEW YORK

-----X
GEORGIANNA SAVAS,

Plaintiff,

-against-

ZACHARIAS GEORGIU PORTALAKIS,

Defendant.
-----X

12 CIV 1248 (VM)

AFFIDAVIT OF
CRISTOS GIANAKOS

STATE OF NEW YORK)
)ss.:
COUNTY OF NEW YORK)

CRISTOS GIANAKOS , being duly sworn deposes and says:

INTRODUCTION

1. I reside at 93 Mercer Street, in the Borough of Manhattan, City of New York.
2. I am a painter and sculptor as well as a professor in the Design Department at the School of Visual Arts in New York City.
3. For approximately the past 50 years, my works have been exhibited in shows and galleries, installed in indoor and outdoor locations and hang in museums throughout the United States and Europe. Attached as Exhibit "A" to this Declaration is a list of some of the exhibitions and installations of my work which can be viewed at my website: www.crisgianakos.com.
4. During the course of his life, I was a close friend of the artist Theodoros Stamatelos (known as "Stamos"). Through him I met and also became friends with his sister Georgianna, the Plaintiff in this lawsuit, as well as her late husband.
5. I also know Zacharias Portalakis, the Defendant in this action. I know him as a friend of Stamos as well as an art collector.
6. I submit this Declaration to correct certain mis-statements contained in paragraphs "29", "30", "31", "33", "35", "36" and "37" of the Complaint regarding my involvement in the selection and shipment of certain artworks of Stamos from New York to Greece.

7. In the latter part of last year, 2011, I was invited to lunch with Georgianna and her son Jason.
8. Approximately two (2) months ago, I was sent a copy of the Complaint in this matter by Alan Sugarman. This was my first official notice of the dispute between Georgianna and Portalakis regarding the ownership of Stamos' works. After receiving and reading it I discovered that certain statements made in paragraphs "29", "30", "31", "33", "35", "36" and "37" of the Complaint are incorrect.

PARAGRAPH "29" OF THE COMPLAINT

9. Specifically, in paragraph "29" of the Complaint it states that Portalakis told Georgianna that I was his "agent" and would go to with her to Stamos' apartment to help her inventory and pack Stamos' artworks for shipment to Greece.
10. It was Georgianna who first contacted me and asked me to assist her in gathering Stamos' work for shipment to Portalakis. As I was her friend as well as a friend and colleague of her brother she thought I could be of help to her in gathering Stamos' works and personal effects for shipment to Greece.
11. While it is true that I helped Georgianna to review the scope of Stamos' work before shipment to Greece, it was neither as Portalakis' agent nor at his request. I never spoke to Portalakis about inventorying or shipping Stamos' work to Greece.
12. Thus, the statement that I acted as Portalakis' agent is simply false. It was Georgianna, not Portalakis, who asked me to help her review the artwork.
13. Furthermore, contrary to what is alleged I have not "regularly represented Portalakis" in connection with the "inspection, purchase, or shipping of paintings from New York."
14. Finally, while the Complaint states that she knew me "only as an acquaintance" I would certainly consider myself a long time friend of both her and her late brother.

PARAGRAPH "30" OF THE COMPLAINT

15. Paragraph "30" of the Complaint again erroneously describes me as Portalakis' agent. It also states that I arranged for "Portalakis' regular shipping company, Soho Crates of New York City, to have their movers pick up and ship the paintings." This statement is incorrect.
16. Georgianna asked me if I knew a company which would be able to crate and ship her brother's artwork. It was I who suggested Soho Crates, as it was a company that I had used in the past to pack and ship my own works.
17. I made no arrangements for the packing and shipment of Stamos' works. I simply suggested the company to her as one which I had used in the past with success.

PARAGRAPH "31" OF THE COMPLAINT

18. Paragraph "31" of the Complaint also erroneously states that I acted as Portalakis' agent and that Soho Crates acted as his shipping agent. As stated above, I did not act as his agent nor am I aware of Soho Crates acting as his agent. To the best of my knowledge Soho Crates was hired by Georgianna.
19. Paragraph "31" also incorrectly states that I helped Georgianna with the selection of works to be shipped to Greece. As previously stated here, I helped her only with a review of the works. However, this was at her request, not Portalakis'.

PARAGRAPH "33" OF THE COMPLAINT

20. The statement in paragraph "33" of the Complaint that I took possession of, crated and shipped Stamos' artwork and personal effects is false.
21. At no time did I take possession of any of Stamos' artwork or personal effects either on my own behalf or on behalf of Portalakis.
22. Similarly, I did not crate or ship the artwork or personal effects on behalf of myself or Portalakis. Any statement or suggestion to the contrary is false.

PARAGRAPH "35" OF THE COMPLAINT

23. As noted above, I was not Portalakis' agent. He did not provide for my services in this matter in any way.

PARAGRAPH "36" OF THE COMPLAINT

24. The shipment referred to was not sent under my supervision.

PARAGRAPH "37" OF THE COMPLAINT

25. As noted above, it was Georgianna who requested my help in reviewing and shipping her brother's artwork and personal effects to Greece.

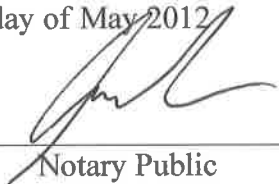
CONCLUSION

26. While I did help Georgianna review Stamos' artworks and personal effects the attempt to characterize me as the "agent" of Portalakis is simply false.
27. I acted at Georgianna's request not at the request of Portalakis.

28. Additionally, I did not hire nor employ Soho Crates to pack and ship Stamos' artwork and personal effects. I only suggested the company to Georgianna as one that I had used with success to pack and ship artwork. I made no arrangements whatsoever regarding the details of its work.


CRISTOS GIANAKOS

Sworn to this 21
day of May 2012


Notary Public

